

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

KENNETH GOLDSMITH,)	
Plaintiff,)	
)	2:16-cv-01362
v.)	
)	Judge Mark R. Hornak
SERGEANT JAMES A. TOGYER,)	
Defendant.)	

ORDER

AND NOW, this 10th day of May, 2018, in accordance with this Court's prior Order, dated March 2, 2018, granting in part terminated Defendant Frederick Goldsmith's Renewed Motion for Sanctions for Abusive Litigation Practices, ECF No. 112,¹ and in consideration of Frederick Goldsmith's Declaration of Counsel in Support of Claimed Fees and Costs, ECF No. 136,² the Court hereby ORDERS Plaintiff Kenneth Goldsmith to pay attorney's fees to terminated Defendant Frederick Goldsmith in the amount of \$713.50.³

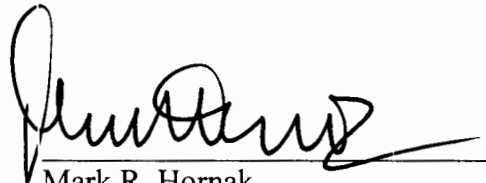
¹ This Court granted the Renewed Motion for Sanctions to the extent that the Court would award reasonable and necessary attorney's fees to Frederick Goldsmith that Frederick Goldsmith had incurred in the filing of his Motion to Strike, ECF No. 108, and in the filing of his Renewed Motion for Sanctions, ECF No. 112, and the corresponding Brief in Support of the Motion, ECF No. 113. *See* March 2, 2018, Order, ECF No. 133. As directed by the Court, Frederick Goldsmith filed a Declaration of Counsel specifying such claimed fees and costs in detail. ECF No. 136.

² Plaintiff was Ordered to respond to Frederick Goldsmith's Declaration. ECF No. 137. Plaintiff was granted a first extension, ECF No. 141, but the day before the deadline, Plaintiff requested another extension, which the Court also granted. ECF Nos. 144, 145. Plaintiff failed to file any response by the twice-extended deadline of May 3, 2018.

³ The Court reduced the award by \$145, the equivalent of one hour's work, from the amount stated in the Declaration, ECF No. 136, concluding 3.3 hours of work represents a reasonable and necessary amount for the renewed Motion for Sanctions and supporting brief. The Court concludes all other declared fees and costs were reasonable and necessary.

Such payment to be made in full on or before July 1, 2018.

It is so ordered.



Mark R. Hornak
United States District Judge

cc: All counsel of record